

REMARKS

Currently, claims 1, 3-7, and 9-33 remain pending in the present application, including independent claim 1. Withdrawn claims 17-20 also remain pending, and would be allowable upon allowance of generic claim 1. In the Office Action, independent claim 1 was rejected under 35 U.S.C. § 102(b) in view of U.S. Pat. No. 6,050,984 to Fujioka, et al., directed to a folded disposable diaper to be packaged. The diaper is first folded inwardly about two first folding line extending in a longitudinal direction of the diaper. Then, the diaper is folded inwardly about two second folding lines extending in a transverse direction perpendicular to the longitudinal direction. Col. 2, lines 8-13. The diaper includes a liquid permeable top sheet, a back sheet, and an absorption core interposed between the top sheet and the back sheet.

In rejecting independent claim 1, the Office Action fails to recognize or address the fundamental differences between the diaper of Fujioka, et al. and the absorbent article of claim 1. Applicants respectfully submit that Fujioka, et al. fails to disclose, or even suggest, all of the limitations of claim 1.

First, in Fujioka, et al., the folding is performed on the entire finished diaper. Thus, the entire diaper (i.e., the top sheet, the back sheet, and the absorption core) of Fujioka, et al. is folded on itself, resulting in the depicted folded diaper shown in Fig. 1(C).

In contrast, independent claim 1 requires that the absorbent structure be folded internally within the absorbent article (i.e., between the outer cover material and the liner). Thus, the lateral flaps connected to the middle portion are folded at least onto the middle portion of the absorbent structure prior to positioning the absorbent structure within the absorbent article. As such, the claimed absorbent article of independent claim 1 has an absorbent structure positioned internally within the absorbent article (i.e., between the outer cover material and the liner) with the lateral flaps folded onto the middle portion. By folding the lateral flaps onto the absorbent web, greater basis weight areas can be formed into the middle portion of the absorbent structure which corresponds to the crotch region of an absorbent product incorporating the absorbent

structure. Pg. 8, line 9-12. Applicants respectfully assert that Fujioka, et al. completely fails to teach or even suggest such a configuration for their absorption core.

Secondly, the Office Action states that Fujioka, et al. discloses an “absorption core 14 comprising a pair of opposing lateral flaps 18a, 20a folded onto a middle portion.” However, Applicants point out that the front flaps 18a and the back flaps 20a are formed by the protrusion in the front waist region 18 and the back waist region 20 of the back sheet 12 and the top sheet 13. Col. 3, lines 54-57. Thus, these protrusions are not even formed by the absorption core, and can not be somehow equated to the lateral flaps of claim 1 in the present application.

In any event, these front flaps 18a and the back flaps 20a are not folded on the middle portion of the diaper in Fujioka, et al. The Office Action states that Fujioka, et al. discloses an “absorption core 14 comprising a pair of opposing lateral flaps 18a, 20a folded onto a middle portion,” while stating that the middle portion can be either crotch region 19 (between the front and back portions in the length of the diaper) or the lateral distance between longitudinal fold lines L and L in figure 1A (in the width). However, the attempted interpretation of the “middle portion” as the lateral distance between longitudinal fold lines L and L fails to account for all of the claim limitations of claim 1. According to claim 1, the middle portion is positioned between the front portion and the rear portion. As such, Applicants respectfully submit that the middle portion of claim 1 is analogous to the crotch region 19 of Fujioka, et al.

This meaning of “the middle portion” of independent claim 1 is further supported by reference to the present specification and figures. For example, referring to Fig. 7 of the present application, the middle portion 14 is positioned between the front portion 12 and rear portion 16. The pair of lateral flaps 22 and 24 are each connected to the middle portion 14. See, e.g., Paragraph 64. As required by independent claim 1, the pair of opposing lateral flaps connected to the middle portion are folded at least onto the middle portion of the absorbent

structure. Applicants respectfully submit that Fujioka, et al. fails to disclose any opposing lateral flaps that can be folded onto a middle portion.

Finally, Fujioka, et al. completely fails to teach, or even suggest, an absorbent structure having a lateral flaps adjacent to the middle portion such that the each of the flaps, when in an unfolded state, extend beyond the outermost lateral periphery. Fujioka, et al. repeatedly discloses that the “absorption core 14 [is] in the sandglass-like form” such that the crotch region (e.g., middle region) is narrower in width than the wider top and bottom regions. See, e.g., col. 2, lines 19-24; col. 3, lines 15-23; and Fig. 1(B). In fact, Fujioka, et al. expressly states that the “absorptive core has an unfolded shape wherein the front waist part and the back waist part are of larger transverse dimension than the crotch part as a result of having protrusions extending in the transverse direction on thansverse sides of the front waist part and the back waist part.” Col. 2, lines 19-24.

Likewise, Fujioka, et al. fails to disclose that each of the flaps have a width adjacent to the middle portion that is from about 25% to 100% of the width of the middle portion. For example, referring again to Fig. 7 of the present application, the lateral flaps each have a width X, while the middle portion has a width Y. In the embodiment of Fig. 7, the width of the lateral flaps is approximately one half the width of the middle portion 14 (i.e., about 50% of the width of the middle portion). Paragraph 66. In another embodiment, such as the exemplary embodiment shown in Fig. 14, the pair of opposing flaps 22 and 24 have a width X that is substantially the same width Y as the middle portion 14 (i.e., about 100% of the width of the middle portion). Paragraph 72. Applicants respectfully submit that Fujioka, et al. fails to teach or even suggest any such structure.

Fujioka, et al. also fails to recognize several advantages and benefits of the absorbent structure as defined in claim 1. For instance, by having the flaps wider than the outermost lateral periphery of the front portion, the flaps can be easily engaged during production of the absorbent article and folded over onto the middle portion of the absorbent structure. In particular, since the flaps are wider than the front portion, stationary folding guides can be used to easily find and fold the flaps.

In summary, it is believed that the claims as currently pending patentably define over the prior art of record and are in complete condition for allowance. Should any further issues remain, however, then Examiner Hill is invited and encouraged to telephone the undersigned at her convenience.

Respectfully submitted,
DORITY & MANNING, P.A.

A handwritten signature in black ink, appearing to read 'Alan R. Marshall', written over a horizontal line.

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